

SHARE SHELTER SUPPORT GRANT

Operating Manual for Fiscal Year 2003

Department of Housing and Community Development The Jackson Center 501 North Second Street Richmond, Virginia 23219



Significant changes have been made to the SSG Operations Manual for Fiscal Year 2003! While general design and format of this manual differs only slightly, several <u>requirements have changed</u>.

You should read this manual in its entirety prior to submitting any reporting information. You are responsible for submitting all required information.



Catalog of Federal Domestic Assistance Numbers

The Catalog of Federal Domestic Assistance (CFDA) number of the Temporary Assistance for Needy Families (TANF) portion of your award is **93.558**. *It is important to note that the portion of your award that is state funded has no CFDA; this number only applies to funding that comes through TANF*.

For Grantees who also receive funding through the SHARE Federal Shelter Grants please note that the CFDA# for FSG is 14.231.



Program Administrator

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Department of Housing and Community Development The Jackson Center 501 North Second Street Richmond, Virginia 23219



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SHARE SHELTER SUPPORT GRANT (SSG)

GENERAL INFORMATION

GOAL

The goal of the SSG is to assist homeless families and individuals by providing better facilities and/or services at emergency shelters and transitional housing facilities in Virginia.

OBJECTIVES

The objectives of the SSG are as follows:

- 1. To provide state funding to emergency shelters and transitional housing facilities for rehabilitation, repair, and improvements to bring existing facilities into compliance with State and local health codes and building codes. **Grantees must use the state portion of their SSG award to achieve this first objective prior to directing funds to the second objective.**
- 2. To provide state funding to emergency shelters and transitional housing facilities for operation costs to include administration, routine maintenance, rent, utilities, insurance, supplies and furnishings. Also included is the delivery of essential human services that address issues such as employment, substance abuse, education, or health where such services do not duplicate or supplant existing local services.

The objectives of TANF funds are to:

- 1. To provide assistance to needy families.
- 2. To end dependence of needy parents by promoting job preparation, work and marriage.
- 3. To prevent and reduce out-of –wedlock pregnancies.
- 4. To encourage the formation of two-parent families.

FUNDS AVAILABLE

The Commonwealth of Virginia has appropriated \$1,709,120 in SSG funds for fiscal year 2003. Additional funding has been made available through the Department of Social Services, Temporary Assistance to Needed Families Program (TANF). TANF funds for the FY 2003 SSG program total \$2,270,080. Total SSG funds available for FY 2003 is \$3,979,200.

GENERAL REQUIREMENTS FOR 2001 GRANTEES

PARTICIPATION IN CONTINUUM OF CARE PLANNING 1

All grantees for SSG must submit one of the following:

- A brief statement of the applicant's role in a current ongoing Statewide, local, or regional Continuum of Care Plan or copies of Continuum of Care attendance lists, and a copy of that plan; or
- A brief statement of the applicant's role in a current work group in which a local or regional Continuum of Care Plan is being developed; or

See Program Design for additional information on Continuum of Care Plans.

MATCH

All SSG grantees are required to provide a dollar-for-dollar match for the total SSG award amount. The match must be for the specific project for which SSG funding is requested and must be received and expended within the fiscal year 2003 grant year.

FINANCIAL STATEMENTS

SSG grantee organizations receiving more than \$300,000 in total federal grant awards annually are required to submit an annual independent audit to DHCD in accordance with federal audit standards. SSG grantee organizations receiving less than \$300,000 in total federal grant funds annually must submit an audited financial statement prepared by an independent auditing firm in accordance with SSG program guidelines.

LIST OF BOARD MEMBERS

Nonprofit applicants must submit a current List of Board Members (including officers names, addresses, telephone numbers and terms of service) before any SSG funds are disbursed.

¹ Applicants participating in the Statewide Continuum of Care are not required to submit copies of Attendee lists or their Continuum of Care Plan.

DIRECTIONS

All applicants must include directions or a map to the administrative offices or shelter/facility(s) from the nearest major highway.

FACILITIES SERVING ADULT HOUSEHOLDS

Facilities funded by DHCD <u>may</u>, in providing services to married persons, make inquiry to ascertain to their reasonable satisfaction, that persons presenting themselves as married are, in fact, married.

SUPPLEMENTARY INFORMATION

- 1. All new SSG grantees must provide a brochure or brief description of the agency's programs and a picture of all facilities.
- 2. All new SSG grantees must be able to document the **delivery of supportive services** (as identified on TABLE 1) designed to assist homeless households in the transition to independence. Winter shelters and day shelters **only** are excluded from this requirement.
 - If the services offered are part of an in-house program, include brochures or pamphlets describing these services. If such publications are not available, include a letter, on the applicant's letterhead, signed by the Executive Director or Board President stating what services are offered.

If services are to be accessed through referral to other agencies or providers, <u>include letters from each</u> stating that they provide the service(s) to clients from the grantee's program. Letters do not have to be submitted to DHCD before SSG funds are disbursed. However, grantees unable to provide such letters in a timely manner will have the SSG funds de-obligated and must repay any funds that have been disbursed.

HANDICAPPED ACCESSIBILITY

New grantees must submit a statement describing the handicapped accessibility of every facility to be assisted with SSG funds. If a facility is not handicapped accessible, the grantee must submit a detailed plan for sheltering a handicapped person. Specific shelters and/or motels should be named as alternate sources of shelter, with a description of the handicapped accessibility.

PROGRAM DESIGN

Grantees for the SSG program must meet the following requirements:

- All SSG grantees must be able to document the delivery of **supportive services** designed to assist homeless households in the transition to independence. Winter shelters **only** are excluded from this requirement. (For the purposes of this grant, children or juveniles who are wards of the State are not considered to be homeless persons.)
- Complete Table 1, indicating services provided in-house and through linkages with other agencies or service providers. If the services offered are part of an in-house program, provide brochures or pamphlets describing these services. If such publications are not available, include a letter, on the applicant's letterhead, signed by the Executive Director or the Board President stating what services are offered.

See *Additional Requirements* for the *New SSG Grantees* for supplementary requirements related to delivery of services.

- All Emergency Shelters receiving SSG funds (excluding winter shelters) must be able to document placement of a minimum of 10% of the homeless households served in fiscal year 2002 into transitional or permanent housing. Applicants providing transitional housing must be able to document placement of a minimum of 50% of the households who completed the transitional housing program in fiscal year 2002 into permanent housing. "Household" mean all clients including single individuals and families.
- If space is available, Domestic Violence project sponsors must shelter other homeless women and children on an emergency basis. An overnight stay is expected, with provision for transportation and/or arrangements for an alternative type of shelter as available. Non-domestic violence clients sheltered on an emergency basis must be included in the numbers of households/cases served on the Quarterly Statistical Report, but should not be included in calculating the percentage of households placed into transitional or permanent housing.
- The grantee must be able to maintain facilities in such a manner that they meet certain minimum standards. DHCD will use the U. S. Department of Housing and Urban Development Housing Quality Standards (HQS) as a basis for insuring the safety of all occupants. The grantee is responsible for ensuring that all funded facilities meet these standards (See HQS form, Appendix 3). SSG funds awarded for facilities that fail to meet minimum standards will be de-obligated and grant funds repaid to DHCD.

In addition, funded agencies must ensure that homeless facilities offer a positive and supportive environment that provides encouragement and hope to improve the attitude, self-esteem, and motivation of homeless persons.

• All grantees will be required to comply with SSG regulations. Failure to do so will result in actions including, but not limited to, conditions, suspension, or outright termination of the grant agreement.

FAIR HOUSING

All fiscal year 2003 SSG grantees must perform some action in the area of enforcement and/or promotion to affirmatively further fair housing. During the grant year (July 1, 2002 - June 30, 2003), grantees must carry out a minimum of one activity to further fair housing. The activity may be chosen from the following list or may be one that has been specifically approved by the Program Administrator.

- 1. Adopt a resolution endorsing the concept of fair housing and advertising the resolution through the local media.
- 2. Enact a local fair housing ordinance substantially equivalent to federal or State law.
- 3. Attend a fair housing workshop offered or approved by DHCD. A member of the Board or governing body, or the chief administrative official <u>and</u> another appropriate representative (local realtor, banker, etc.) must attend a fair housing workshop.
- 4. Provide all project beneficiaries with a copy of a fair housing brochure.
- 5. Enlist the participation of local realtors, lenders, and homebuilders in an agreement and promotion of affirmative marketing, open housing, and review of underwriting, credit criteria, etc. The agreement must be published through the local media.
- 6. Conduct a public educational program for local housing consumers and providers and/or financial institutions regarding fair housing issues.
- 7. Develop a public information network using local newspapers, radio stations, bulletin boards, churches, utility bill mailing, etc. to ensure all segments of the community are aware of fair housing requirements, especially realtors, landlords, financial institutions, and minority households.
- 8. Develop a fair housing assistance program to make housing opportunities known to minorities, to monitor compliance, and to refer discrimination complaints to the proper authorities.
- 9. Assess the special housing problems of women and minorities through surveys, etc. and determine any effects of discrimination. Develop a plan to assist in overcoming these effects.
- 10. Develop or fund a community-based fair housing organization.

INVOLVEMENT OF HOMELESS PERSONS

Each grantee must, to the maximum extent possible, involve homeless individuals and families in the maintenance and operation of facilities and in the provision of services to residents of these facilities. Methods of achieving client involvement may include having a suggestion box, using chore lists and exit interviews, conducting regularly scheduled house meetings, encouraging clients to assist with children's programs, parenting classes or vocational training and/or to serve as members of the Board.

PROCESS FOR TERMINATING ASSISTANCE

Each applicant must have a formal process for terminating assistance to an individual or family. At a minimum, there must be an appeals procedure with one level of administrative review for clients who are evicted from the facility <u>for any reason</u>. Clients must be informed of the appeals procedure in writing during the intake process.

Those applicants with small programs and limited staff may have the Executive Director hear all appeals. At a minimum, someone other than the person who made the initial termination of services must hear any appeals. For those applicants with larger programs, a procedure allowing for two or more levels of appeal is appropriate and expected.

CONTINUUM OF CARE PLAN

A Continuum of Care Plan identifies housing and service needs for homeless individuals and families; and facilities a coordinated, comprehensive, and community-based response to the identified needs. A plan includes an inventory of existing resources for prevention, outreach and assessment, emergency

shelter, transitional and permanent housing and available supportive service; and the identification of the gap between the existing resources and the need.

<u>All</u> SSG grantees are required to **actively participate** in a Statewide, local, or regional Continuum of Care Plan designed to eliminate homelessness. In the absence of a local or regional plan, applicants must participate in the Statewide Continuum of Care Plan. <u>Failure to actively participate will result in suspension of funding and may result in recapture of SSG funds.</u>

For additional information on Continuum of Care Planning, contact Robbie Campbell at (804) 371-7113.

ELIGIBLE SHELTER SUPPORT GRANT ACTIVITIES

State funded Shelter Support Grants <u>may be used</u> for one or more of the following activities:

- Emergency shelters and transitional housing facilities <u>may</u> use the state portion of their SSG awards for rehabilitation, repair, and improvements to bring existing facilities into compliance with State and local health codes and building codes. Grantees must use the state portion of their SSG awards to achieve code compliance of the facility structure prior to directing funds to other operation costs.
- Emergency shelters and transitional housing facilities <u>may</u> use SSG funds for operation costs such as administration (including staff), maintenance, rent, utilities, insurance, supplies and furnishings. Also included is the delivery of essential human services that address issues such as employment, substance abuse, education, or health where such services do not duplicate or supplant existing local services.
- Primarily religious organizations must agree to provide all eligible activities under this program in a manner that is free from religious influences.

TANF funds may be used for:

- Funds <u>may</u> be used for operations and supportive services intended to achieve the purpose of the program, as described in the eligible SSG activities.
- A State <u>may</u> contract with charitable, religious and private administrative and programmatic services.
- There must be an income limit (resource limit optional) for services provided under TANF. This income limit can be up to 200% of the federal poverty limit.
- Information collected on families receiving services funded by TANF is protected as specified in the Virginia Protection Act of 1976 (*Code of Virginia* 2.1-377-389).

INELIGIBLE ACTIVITIES

Shelter Support Grants *may not* be used for the following activities or for any activity that is in violation of federal law or the laws of the Commonwealth of Virginia:

- SSG funds <u>may not</u> be used for the provision of shelter or services to persons other than those who are homeless.
- SSG funds *may not* be used for the provision of emergency shelter to the homeless where clients are charged a fee or rent or required to make a donation to receive shelter.
- SSG funds <u>may not</u> be used for the provision of transitional housing or any other housing for the homeless if <u>any</u> of the following apply:
 - (1) The applicant receives a HUD Supportive Housing Program grant, Section 8 Program subsidy or any other governmental rental subsidy to operate the facility,
 - (2) Rents/Fees charged exceed 30% of the resident's income,
 - (3) The total annual income from rents exceeds 50% of the last year's total budget for the transitional or other housing program.
- SSG funds *may not* be used to acquire/purchase real property (buildings, land, and structures), including mortgage payments.
- SSG funds <u>may not</u> be used for homeless prevention activities such as, but not limited to, mortgage or rental assistance and rental or utility deposits.
- SSG funds <u>may not</u> be used for the provision of beds for which third-party payments are received. This includes per diem payments from the Department of Social Services, the Department of Corrections, and other State agencies. FEMA funding is not included.

Activities Not Allowed for TANF Funds:

1. Funds *may not* be used for juvenile justice activities.

- 2. Funds <u>may not</u> be used to provide medical services other than pre-pregnancy family planning services.
- 3. Funds *may not* be used for sectarian worship, instruction, or proselytization.
- 4. Funds <u>may not</u> be used for purposes 1, 2, and 4 of TANF if the family does not include a minor child, i.e., a pregnant individual; or an individual less than 18 years old, or, if a full-time secondary school student, less than 19 years old, who resides with the family.

ACCESSING FUNDS AND REPORTING

GRANT AGREEMENTS

DHCD will enter into a Grant Agreement with each approved applicant after July 1, 2002 Grant Agreements will specify the terms and conditions of the grant award. The Grant Agreements must be signed within fifteen (15) days of receipt, and the full document (all pages) mailed to DHCD in a timely manner or the award may be forfeited. Grant Agreements will require grantee compliance with the terms, conditions, and requirements of the Agreement, the Program, and the laws of the Commonwealth.

The Grant period will begin July 1, 2002 and end June 30, 2003. A Grant Agreement is considered fully executed and in force when both parties have signed it. Grantees that return the signed Grant Agreement to DHCD on or before November 1, 2001 may use SSG per bed funds for expenses incurred from July 1, 2002 through June 30, 2003. A grantee that returns the signed Grant Agreement after July 31, 2002 may not use SSG funds for expenses incurred before the date the Grant Agreement is received and signed at DHCD.

FUNDS DISBURSEMENT

SSG grantees will request their grant award by submitting the **Request for Disbursement Form** with a **budget** which shows SSG and match expenditures and income for rehabilitation, repair, operations, administration, staff costs, equipment, support services, and/or furnishings. The entire state portion of the SSG award amount will be requested on the SSG Request for Disbursement Form. **No faxed Request for Disbursement forms will be accepted.**

The Request for Disbursement and budget may be sent to DHCD with the signed Grant Agreement. The Program Administrator will disburse funds totaling the grant award amount upon approval of the budget. No funds will be disbursed before the Grant Agreement is fully executed and the budget approved by DHCD. Grantees who have not submitted all Financial Reports and/or Quarterly or Annual Statistical Reports for fiscal year 2002 will receive no SSG funds until such reports are submitted to DHCD.

Note: All TANF funds must be expended by May 1, 2003 and TANF reimbursements must be requested by June 1, 2003.

REPORTING AND MONITORING

All SSG grantees are required to submit Financial Reports to DHCD with each request for disbursement. TANF funds are disbursed by reimbursement only. All requests for TANF funds must be accompanied by supporting documentation of expenditures or your request will be returned. Instructions for changes in reporting and disbursements are included with your grant packages.

Note: While TANF request for reimbursements may be submitted at any time DHCD can draw TANF funds from the Department of Social Services once per month. Once these funds have been expended DHCD must wait until the following month to draw additional TANF funds. This process may cause some delays in processing request for TANF funds.

Reports shall include, but are not limited to, the following information:

- 1. Receipt and expenditure of program funds, including back-up documentation if requested;
- 2. Receipt and expenditure of matching funds, including back-up documentation if requested;
- 3. Breakdown of services provided and demographic information on the homeless population served;
- 4. Coordination activities with other local human service providers.

A **Grant Closeout Report** is required when Financial Reports showing expenditure of all SSG funds are submitted. All SSG Grantees, including providers of emergency shelter, winter shelter and transitional housing are required to submit Financial Reports for all quarters until the total amount of grant funds is fully expended. Winter shelters need only submit quarterly financial reports for the quarters in which the shelter is in operation and expending funds, but must submit a Close-out Report with the last Quarterly Report.

DHCD staff will monitor the use of grant funds through a combination of a thorough review of all quarterly reports, review of audit or financial statements, monitoring and site visits.

Grantees that operate emergency shelters, including winter shelters, must submit Quarterly Statistical Reports to DHCD; grantees that provide transitional housing must submit an Annual Statistical Report to DHCD only. Quarterly Statistical Reports must be submitted for each of the four quarters in fiscal year 2003, whether or not SSG funds are expended in the quarter.

A schedule of report due dates will be provided to all grantees. Failure to submit reports by the required due dates will result in a hold on all DHCD grant disbursements. Repeated non-compliance with reporting requirements can result in further grant restrictions.

DHCD is required to submit periodic reports to the Virginia Department of Social Services. Delays in reporting may cause delays in processing TANF payments. Therefore, it is imperative that each grantee submits all reporting information timely and accurately.

TABLE 1: DELIVERY OF SUPPORTIVE SERVICES

SSG Grantee:				
-				

Check () the services provided to homeless clients and whether the service is a part of your agency's in-house program or provided through linkages with other agencies or service providers in the community. All grantees must complete this form and include either 1) brochures or pamphlets describing your in-house program, or 2) a statement on agency letterhead from the Executive Director or Board President. All new grantees must submit letters from other agencies or service providers stating that the service is provided to homeless clients residing in your agency's emergency shelter or transitional housing facilities. Services should be appropriate and adequate for the homeless populations served by your agency. At a minimum, need assessment, case management, and information and referral must be provided.

☐ Check here if funded in fiscal year 2002 and **no changes** are required in services provided.

☐ Check here if funded in fiscal year 2002 and you are updating services provided. (Indicate updated information on the form below and attach letters to support new linkages, if any)

☐ Check here if not funded in fiscal year 2002 (attach letters to support linkages for services provided by other agencies or

service providers.

SUPPORTIVE SERVICE	SERVICE PROVIDED	SERVICE IS PROVIDED AS A PART OF YOUR PROGRAM	SERVICE IS PROVIDED THROUGH LINKAGES WITH OTHERS
Needs Assessment			
Case Management			
Information and Referral			
Substance Abuse Counseling			
Individual / Family Counseling			
Vocational Training			
Job Placement			
Employment Counseling			
Adult Education			
Life Skills Training			
Budgeting / Financial Training			
Parenting Workshops / Classes			
Transportation			
Legal Assistance			
Children's Program			
Day Care			
Support Group(s)			
Food			
Clothing			
Housing Counseling			
Health Care			
Mental Health Care / Counseling			
Mentoring			

-

TABLE 2: METHODS OF INVOLVING HOMELESS PERSONS IN OPERATIONS AND MAINTENENCE

SSG G	rantee:	
	(\checkmark) all of the following methods of involving home refacility, and in the provision of services that you are	
	☐ Suggestion Box ☐ Chore Lists for Residents ☐ Clients Assist with Children's Program ☐ Clients Assist with Parenting Classes	☐ Exit Interview☐ Regularly Scheduled House Meetings
	☐ Clients Assist with Vocational Training ☐ Clients or Former Clients Serve on Board ☐ Other (Be Specific)	

TABLE 3: SOURCES OF FUNDING

SSG Grantee:
What is your organization's operating budget for the emergency shelter, winter shelter or transitional
housing program for fiscal year 2003?
\$
How much financial support will you receive from local government? \$
Using \$5.00 per hour, what is the value of volunteers in your FSG funded program?
Number of volunteer hours: x \$5.00 = \$
What is the dollar value of donated goods and in-kind services to your FSG funded program?
\$
List the services that are not currently provided by your organization that would be provided if
funds were available:
What is a reasonable estimate of the additional funds necessary for your organization to offer the
services identified above?
C

Appendix 1 - Definitions

(The words and terms listed, when used in these guidelines, shall have the following meaning unless the context clearly indicates otherwise.)

Applicant An incorporated nonprofit organization or unit of local government that

makes application for funds under this program.

Application The written request for grant funding under this program.

Bed Capacity The maximum number of full-year resident beds at a facility available for

use by the homeless as approved by the local building official.

DHCD The Virginia Department of Housing and Community Development.

Emergency Shelter Short-term housing for homeless persons. Facilities identified as

transitional housing (TH) or SRO for HUD funding and/or other grants, brochures, or annual reports must be identified as SRO or TH and not identified as emergency shelter (ES) when applying for SSG funding.

Facility All or any portion of buildings, structures, cities, complexes, equipment,

rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the

building, property, structure, or equipment is located.

FSG The SHARE Federal Shelter Grant, funded through U. S. Department of

Housing and Urban Development's Emergency Grants Program.

FY02 The State fiscal year July 1, 2001 through June 30, 2002. FY03 The State fiscal year July 1, 2002 through June 30, 2003.

Federal Fiscal

Year Refers to the period of October 1 through September 30.

Grant Agreement The contract between DHCD and the Project Sponsor containing the terms

and conditions provided for within this program.

HUD The U. S. Department of Housing and Urban Development.

HQS A set of structural and maintenance standards established by the U. S.

Department of Housing and Urban Development.

Handicapped Accessibility

The absence of architectural or communication barriers that restrict full access to a facility by an individual with a physical or mental impairment.

Homeless

- (a) An individual or family that lacks a fixed, regular, and adequate nighttime residence: or
- (b) An individual or family that has a primary nighttime residence that is:
 - (1) A supervised publicly or privately operated shelter designed to provide temporary living conditions (including welfare hotels, congregate shelters, and transitional housing for persons with mental illness:
 - (2) An institution that provides a temporary residence for individuals intended to be institutionalized: or
 - (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
 - (4) The term does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.
 - (5) The term does not apply to those are who considered at imminent danger of becoming homeless due to eviction or foreclosure. If eviction or foreclosure occurs, the individual or family may be considered homeless if there are no other housing resources available to them.

Homeless Facility

A structure used as an emergency shelter, transitional housing, or winter shelter.

Locality

A city, county, or town located within the Commonwealth of Virginia.

Maintenance

Routine repairs to a building or property to assure its continued safe, sanitary, and energy-efficient use.

Permanent Housing

A home or apartment, including Section 8 or Public Housing, in which the household plans to stay for a period of time.

Rehabilitation Substantial physical improvements/repairs to a facility, which will secure

it structurally; correct building, health, or fire safety code defects; increase

energy efficiency; and assure safe and sanitary occupancy.

Service Area The geographic area or jurisdiction served by a nonprofit organization or a

local government Project Sponsor.

SHARE The State Homeless Housing Assistance Resources, a group of programs

intended to benefit the homeless or those at risk of homelessness. The four programs under SHARE are the SHARE Federal Shelter Grant, SHARE Shelter Support Grant, SHARE Expansion, and SHARE

Homeless Intervention Program.

SRO A single room occupancy dwelling in which the occupant plans to stay for

a period of time.

SSG The SHARE Shelter Support Grant.

Transitional Housing Facilities for the homeless designed to meet their longer-term

temporary housing and human service needs, wherein the typical stay is over thirty (30) days and less than two years. Facilities identified as transitional housing for HUD funding and/or other grants, brochures, or annual reports must be identified as

transitional housing when applying for SSG funding.

Winter Shelter A seasonal facility open during inclement months of the year, providing,

at a minimum, beds and food to homeless persons. Other supportive

services may be offered.

Appendix 2 - TANF Requirements

Temporary Assistance to Needy Families (TANF) Requirements

I. PROGRAM OBJECTIVES

The State receives TANF funding in the form of a block grant from the United States Department of Health and Human Services (HHS). The State must use the TANF block grant funds to meet at least one of the four objectives stated in the federal TANF law. The objectives of TANF are to:

- (1) provide assistance to needy families;
- (2) end dependence of needy parents by promoting job preparation, work, and marriage;
- (3) prevent and reduce out-of-wedlock pregnancies; and
- (4) encourage the formation and maintenance of two-parent families.

II. SOURCE OF GOVERNING REQUIREMENTS

TANF was established by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Public Law 104-193), which amended Title IV-A of the Social security Act. Additional amendments were enacted in the Balanced Budget Act of 1997. The federal law regarding TANF can be found in the U. S. Code at 42 USC 601-619.

Program regulations were published in the April 12, 1999 Federal Register (45 CFR Part 260, et al.) The Internet site for the federal regulations is www.acf.dhhs.gov/programs/ofa/finalru.htm. In addition, the U. S. Department of Health and Human services has published a TANF guide, "Helping Families Achieve Self-Sufficiency: A Guide on Funding Services for Children and Families Through the TANF program." It is available on the Internet at www.acf.dhhs.gov/programs/ofs/funds2.htm.

TANF is subject to the A-102 Common Rule (www.whitehouse.gov/omb/circulars/a102/a102.htm) and OMB Circular A-87 (www.whitehouse.gov/omb/circulars/a087/a0870all.html).

Any program or activity that receives TANF block grant funds is subject to: the Age Discrimination Act of 1975, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1964. There shall be no discrimination based on race, color, religion, sex, national origin, marital, parental, or birth status, or disability by State or local agencies in the administration of any public assistance program.

III. COMPLIANCE REQUIREMENTS

A. Activities Allowed

- 1. Funds may be used in any manner to achieve the purposes of the program.
 - 2. Funds may be used for programs to prevent and reduce the number of out-of-wedlock pregnancies, including programs that provide education and training on the problem of statutory rape.
 - 3. Funds may be used to provide employment placement services to individuals receiving assistance under TANF.
 - 4. Funds may be used to fund individual development accounts established for individuals eligible to receive assistance under TANF.
 - 5. A State my contract with charitable, religious and private organizations to provide administrative and programmatic services.
 - 6. There must be an income limit (resource limit optional) for services provided under purposes 1 and 2 of TANF. This income limit can be up to 200% of the federal poverty limit.
 - 7. Information collected on families receiving services funded by TANF is protected as specified in the Virginia Privacy Protection Act of 1976 (Code of Virginia 2.1-377-389).

B. <u>Activities Not Allowed</u>

- 1. Funds may not be used for juvenile justice activities.
- 2. Funds may not be used to provide medical services other than pre-pregnancy family planning services.
- 3. Funds may not be used for sectarian worship, instruction, or proselytization.
- 4. Funds may not be used for purposes 1, 2, and 4 of TANF if the family does not include a minor child, i.e., a pregnant individual; or an individual less than 18 years old, or, if a full-time secondary school student, less than 19 years old, who resides with the family.

IV. ASSISTANCE VERSUS NON-ASSISTANCE

The funds being allocated by RFP cannot be used for "assistance" unless specifically permitted by the Secretary of Health and Human resources. Generally, assistance refers to cash benefits and non-assistance refers to the provision of services.

The definition of "assistance" provided with TANF federal funds is of particular importance because the major TANF program requirements (e.g., work requirements, time limits on Federal assistance, assignment of rights to child support, and data reporting) apply only to families receiving "assistance". The definition of assistance can be found at 45 CFR 260.31 (www.acf.dhhs.gov/programs/ofa/finalru.htm).

Assistance <u>excludes</u> non-recurrent, short-term benefits designed to deal with individual crisis situations rather than ongoing need. These benefits cannot provide for needs that extend beyond four months. The definition of assistance also <u>excludes</u> child care, transportation and supports provided to employed families, individual development account (IDA) benefits, refundable earned income tax credits, work subsidies to employers, and services such as education and training, case management, job search, and counseling.

V. FINANCIAL PENALTIES

- Use of federal funds in violation of the Act results in financial penalties. The single audit conducted under the Single Audit Act, supplemented by other related audits, reviews, and data sources will help identify violations.
- Any use of funds that violates the provisions of the Act, section 115(a)(1) of PRWORA, the provisions of 45 CFR part 92 or OMB Circular A-87 will be considered to be a misuse of funds.
- Misuse of funds will be considered intentional if there is supporting documentation, such as federal guidance or policy instructions, indicating that federal TANF funds could not be used for that purpose.

Appendix 3 – HQS Standards